

“बिजनेस पोस्ट के अन्तर्गत डाक शुल्क के नगद भुगतान (बिना डाक टिकट) के प्रेषण हेतु अनुमति क्रमांक जी.2-22-छत्तीसगढ़ गजट / 38 सि. से. भिलाई. दिनांक 30-05-2001.”



पंजीयन क्रमांक
“छत्तीसगढ़/दुर्ग/09/2013-2015.”

छत्तीसगढ़ राजपत्र

(असाधारण) प्राधिकार से प्रकाशित

क्रमांक 249]

रायपुर, शुक्रवार, दिनांक 2 जून 2023 — ज्येष्ठ 12, शक 1945

विधि और विधायी कार्य विभाग
मंत्रालय, महानदी भवन, नवा रायपुर अटल नगर

HIGH COURT OF CHHATTISGARH, BILASPUR

Bilaspur, the 25th May 2023

NOTIFICATION

No. 6429.— In compliance of the Memo No. 12961/Rules/2021, dated 21st December, 2021 and Memo No. 6429/Rules/2023, dated 25-05-2023 of the Hon'ble High Court of Chhattisgarh, with approval of the Governor of Chhattisgarh, the High Court of Chhattisgarh, hereby, makes the following further amendment in the Chhattisgarh Rules and Orders (Criminal), namely:-

AMENDMENT

In the said rules,-

1. In the sub-rule (2) of rule 72, after the words and parenthesis “witness in order to contradict him” and before the word “and”, the following shall be inserted:-

“where the relevant portion is not extracted, the portions only shall be distinctly marked as prosecution or defence exhibit as the case may be, so that other inadmissible portions of the evidence are not part of the record. In cases where the relevant portion is not extracted, the admissible portion shall be distinctly marked as prosecution or defence exhibit as the case may be.”

2. After the sub-rule (2) of rule 72, the following shall be added:-

- (3) The aforesaid rule applicable to recording of the statements under Section 161 shall mutatis mutandis apply to statements recorded under Section 164 of the Cr.P.C., wherever such portions of prior statements of living persons are used for contradiction/corroboration.
- (4) Omnibus marking of the entire statement under Section 161 and 164 of the Cr.P.C. shall not be done.”

3. After the rule 117, the following shall be inserted:-

“Rule 117A.- SUPPLY OF DOCUMENTS UNDER SECTIONS 173, 207 AND 208 CR.P.C.- Every Accused shall be supplied with statements of witness recorded under Section 161 and 164 Cr.P.C. and with list of documents, material objects and exhibits alongwith copies of all Panchnamas prepared during investigation and relied upon by the Investigating Officer (I.O.) in accordance with Section 207 and 208 Cr.P.C.

Explanation:- The list of statements, documents, material objects and exhibits shall specify statements, documents, material objects and exhibits that are not relied upon by the Investigating Officer.”

4. In the rule 180, after the words and parenthesis “Magistrate with his own hand and in his mother tongue,” and before the word “unless”, the following shall be inserted:-

“in typed format, or shall be prepared on computers, in the court on the dictation of the Presiding Officer,”

5. After the rule 182, the following shall be inserted:-

“Rule 182A.- Prosecution witnesses shall be numbered as PW-1, PW-2 etc., in seriatim. Similarly, defence witnesses shall be numbered as DW-1, DW-2, in seriatim. The Court witnesses shall be numbered as CW-1, CW-2, in seriatim.”

6. After the rule 239, the following shall be inserted:-

“Rule 239A.- Every judgment shall contain the following:-

- (i) Start with a preface showing the names of parties as per FORM-D to the Rules.
- (ii) A tabular statement as per FORM-E to the Rules.
- (iii) The Judgement in original decision shall, apart from the particulars prescribed by Section 354 of the Code also contain an index in tabular Form as per FORM-F to the Rules.”

7. In the rule 253, after the words and parenthesis “charged and convicted”, the following shall be added:-

“In case of acquittal and if the accused is in confinement, a direction shall be given to set the accused at liberty, unless such accused is in custody in any other case.”

8. After the rule 375, the following shall be inserted:-

“Rule 375A.- The application for bail in non-bailable cases must ordinarily be disposed off within a period of 3 to 7 days from the date of first hearing. If

the application is not disposed off within such period, the Presiding Officer shall furnish reasons thereof in the order itself. Copies of the reply to the bail application or status report (by the police or prosecution) if any, shall be furnished to the accused before hearing on the bail application.”

9. In the rule 458, after the words and parenthesis “Exhibit D-2,” the following shall be inserted:-

“the court exhibit shall be marked as Exhibit C-1, Exhibit C-2,”

10. After FORM-C, the following FORM shall be added:-

“FORM-D

| | |
|---|---|
| IN THE COURT OF | |
| Presiding Officer Judge | |
| [Date of the judgement] | |
| [Case No.] | |
| (Details of FIR/Crime and Police Station) | |
| Complainant | STATE OF OR NAME OF THE COMPLAINANT |
| REPRESENTED BY | NAME OF THE ADVOCATE |
| ACCUSED | (1) NAME WITH ALL PARTICULARS (A1) (2) NAME WITH ALL PARTICULARS(A2) |
| REPRESENTED BY | NAME OF THE ADVOCATES |

FORM-E

| | |
|--------------------------------------|--|
| Date of offence | |
| Date of FIR | |
| Date of Charge sheet | |
| Date of framing of charges | |
| Date of commencement of Evidence | |
| Date on which judgement is reserved | |
| Date of the judgement | |
| Date of the Sentencing Order, if any | |

Accused Details

| Rank of the accused | Name of the accused | Date of arrest | Date of release on bail | Offence charged with | Whether acquitted or convicted | Sentence imposed | Period of detention undergone during trial for purpose of Section 428 Cr. P.C. |
|---------------------|---------------------|----------------|-------------------------|----------------------|--------------------------------|------------------|--|
| | | | | | | | |

FORM-F
Index

| S.No. | Description | Page No. |
|-------|---------------------------------|----------|
| 1. | Heading of Judgment | |
| 2. | Appearance of Advocates | |
| 3. | Charge | |
| 4. | Admitted Facts | |
| 5. | Prosecution Story | |
| 6. | ----- | |
| 7. | ----- | |
| 8. | Reasons and findings | |
| 9. | Sentence | |
| 10. | Period of Detention and Set-Off | |
| 11. | Disposal of Property | |

| | | |
|-----|---|--|
| 12. | Order of Compensation | |
| 13. | Certificate under Section 428 Cr.P.C. | |
| 14. | Warrant of Commitment on a sentence (Imprisonment or Fine) | |
| 15. | Copy of Judgment | |

Sd/-

(Arvind Kumar Verma)
Registrar General.